

# Compliance Review Report

Harold Nelson Holdings Pty Ltd as Trustee for  
Northern Territory ALP Investment Trust

June 2013



**AEC**

Australian Electoral Commission

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## Review details

Location of review: Australian Electoral Commission  
West Block, Queen Victoria Terrace  
PARKES ACT 2600

AEC review officers: Brad Edgman  
Alan Page  
Mary-Ann Waters

Entity staff involved: Mr Ian Fraser

## Background

Registered Political Parties and Associated Entities are required under the provisions of the *Commonwealth Electoral Act 1918* (the Act) to lodge annual disclosure returns. The Australian Electoral Commission (AEC) has powers under the Act to review records and gather relevant information to assess whether disclosure obligations have been met.

The purpose of the review was to assess whether the disclosure return for the 2011-12 financial year lodged on behalf of Harold Nelson Holdings as Trustee for Northern Territory ALP Investment Trust (the Entity) complies with disclosure obligations as set out in the Act.

## Compliance and Cooperation

During the review, AEC staff examined financial records of the Entity for the 2011-12 financial year. The Entity fully complied with the s316(2A) notice in delivering requested records to the AEC by the due date.

## Review findings requiring amendment

Detailed examination of the Entity's records identified discrepancies, that in our opinion require a correction on the 2011-12 disclosure return

## Total Receipts and Payments

Section 314AEA(1)(a) of the Act requires the financial controller of an associated entity to report the total amount received by, or on behalf of, the entity during the financial year. Similarly, s.314AEA(1)(b) of the Act requires the financial controller of an associated entity to report the total amount received by, or on behalf of, the entity during the financial year.

To satisfy this, the Entity must account for all transactions that result in receipts from and payments to external entities. These transactions must be reported on a gross basis inclusive of GST.

Based on the information included in the financial records examined, the review identified inaccuracies with regard to the total amounts reported in the return. One factor which contributed to the inaccuracies of the total amounts was:

- An payment of \$14,824 being a trust distribution made to the ALP NT was eliminated as an internal transfer.

The table below compares the total amounts reported in the disclosure return with the total amounts reported in the bank.

**Table 1 – Comparison of annual return to bank statements**

Source document	Total Receipts \$		Total Payments \$
Annual Return	25,001		13,562
Profit and loss statement plus Cash distribution from Trust	27,501	12,828.38 <u>14,672.78</u>	27,501
Bank Statement *	27,501		29,331
Difference	2,500		15,769

\*see Attachment A for full details

We have used bank statements for all accounts as the basis for our calculations of amounts received and paid.

On the basis of these calculations, it is our opinion that Part 1 and Part 3 of the *Request for Amendment – Political Party Disclosure Return* form should be completed to show amended total receipts and payments figures as set out below.



## Required amendment

Amended total receipts      \$ 27,501

Amended total payments      \$ 29,331

## Conclusion

Except for the matters noted above, nothing has come to our attention that causes us to believe that the Entity has not complied, in all material respects, with its disclosure obligations under the Act. To ensure full compliance with the Act, the matters noted above should be remedied.

For your convenience, a 2011/12 Request for Amendment – Associated Entity Disclosure Return form has been enclosed for your completion. Please return the completed amendment form to the AEC by **Friday, 29 July 2013**.

If it is your contention that our findings are incorrect or you wish to request amendments that are different or additional to those we have listed above, please also provide an explanation along with any supporting working papers and documents by this due date.

## Enquiries and Assistance

Should the Entity require any assistance regarding its disclosure obligations under the Act, please contact the AEC's Funding and Disclosure Section either on telephone number (02) 6271 4552 or by email at [fad@aec.gov.au](mailto:fad@aec.gov.au).

## Attachment A

Amounts extracted from Bank statements

Statement Number	Deposit Amount (\$)	Withdrawal Amount (\$)
<b>127</b>	-	13.00
<b>128</b>	0.12	1,032.66
<b>129</b>	0.13	13.00
<b>130</b>	5,500.12	13.00
<b>131</b>	2,750.16	4,729.55
<b>132</b>	2,750.12	16,578.95
<b>133</b>	2,750.03	13.00
<b>134</b>	2,750.06	2,432.98
<b>135</b>	2,750.06	385.00
<b>136</b>	2,750.08	1,376.16
<b>137</b>	2,750.09	1,576.60
<b>138</b>	0.10	13.00
<b>139</b>	2,750.09	1,154.20
<b>TOTALS</b>	<b>27,501.16</b>	<b>29,331.10</b>



# Request for Amendment Associated Entity Disclosure Return



FINANCIAL YEAR 2011–12

**Completing the amended return:**

- This request for amendment should be used to amend a 2011–12 Associated Entity Disclosure Return lodged with the AEC.
- This request for amendment is to be completed with reference to the *Financial Disclosure Guide for Associated Entities 2011-12 financial year*.
- Further information is available at [www.aec.gov.au](http://www.aec.gov.au).
- The request for amendment will be available for public inspection from Friday 1 February 2013 at [www.aec.gov.au](http://www.aec.gov.au).
- Any supporting documentation included with this request for amendment may be treated as part of a public disclosure and displayed on the AEC website.
- The information on this request for amendment is collected under the *Commonwealth Electoral Act 1918*.

Name of associated entity			
Postal address			
	Suburb/town	State	Postcode
With which political party, or parties, is the entity associated?			

**2011–12 Return details**

Is this the first amendment to the return? Yes  No  How many other Request for Amendments have been lodged?

**Financial controller details**

Name of financial controller			
Capacity or position			
Postal address			
	Suburb/town	State	Postcode
Telephone number ( )	Fax number ( )		
Email address			

**Financial controller's request and certification**

*I request the Electoral Commission amend the Associated Entity Disclosure Return as detailed in this request for amendment.*

*I certify that the information contained in this request for amendment and its attachments is true and complete.*

*I understand that giving false or misleading information is a serious offence.*

Signature 	Date <input type="text"/>
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**Enquiries and returns should be addressed to:**

Funding and Disclosure  
Australian Electoral Commission  
PO Box 6172  
Kingston ACT 2604

Phone: 02 6271 4552  
Fax: 02 6271 4555  
Email: [fad@aec.gov.au](mailto:fad@aec.gov.au)

Office use only  
Date received

Registration No **E/**     **/A**

**How to complete this form:**

- If you are amending an existing entry, complete the 'Original Entry' item as it appeared on the original return and then write the amendment in full at the 'Amended Entry' item.
- If adding a completely new entry, write N/A in the 'Original Entry' item and complete the 'Amended Entry' item in full.
- Amounts should be reported on a GST inclusive basis.

**Part 1a: Other business names**

No change to previous information  OR

**Provide details of changes or amendments to the information previously provided.**

<b>Original Entry</b>	Trading name
<b>Amended Entry</b>	Trading name

**Part 1b: Related bodies corporate**

No change to previous information  OR

**Provide details of changes or amendments to the information previously provided.**

<b>Original Entry</b>	Name
	Postal address
	Suburb/town <span style="float: right;">State <span style="float: right;">Postcode</span></span>
<b>Amended Entry</b>	Name
	Postal address
	Suburb/town <span style="float: right;">State <span style="float: right;">Postcode</span></span>

**Part 1c: Unions**

No change to previous information  OR

**Provide details of changes or amendments to the information previously provided.**

<b>Original Entry</b>	Name
	Postal address
	Suburb/town <span style="float: right;">State <span style="float: right;">Postcode</span></span>
<b>Amended Entry</b>	Name
	Postal address
	Suburb/town <span style="float: right;">State <span style="float: right;">Postcode</span></span>

*If insufficient space, please attach additional sheets.*



**Part 2a: Total receipts for financial year 1 July 2011 to 30 June 2012**

No change to previous information  OR

Previous total receipts \$

Amended total receipts \$

**Part 2b: Amount calculated to be value of gifts-in-kind**

No change to previous information  OR

Previous gifts-in kind \$

Amended gifts-in kind \$

**Part 3: Amounts of more than \$11 900 received in financial year 1 July 2011 to 30 June 2012**

No change to previous information  OR

Provide details of changes or amendments to the information previously provided.

Received from		Amount received (GST inclusive)	Donation or Other Receipt*
Original Entry	Name	\$ <input type="text" value="00"/>	
	Postal address		
	Suburb/Town State Postcode		
Amended Entry	Name	\$ <input type="text" value="00"/>	
	Postal address		
	Suburb/Town State Postcode		
Original Entry	Name	\$ <input type="text" value="00"/>	
	Postal address		
	Suburb/Town State Postcode		
Amended Entry	Name	\$ <input type="text" value="00"/>	
	Postal address		
	Suburb/Town State Postcode		
Original Entry	Name	\$ <input type="text" value="00"/>	
	Postal address		
	Suburb/Town State Postcode		
Amended Entry	Name	\$ <input type="text" value="00"/>	
	Postal address		
	Suburb/Town State Postcode		

If insufficient space, please attach additional sheets.

\* Please indicate whether this was a 'Donation' or 'other receipt'. The AEC contacts donors to ensure they are aware of their disclosure obligations and unnecessary contact with other persons is avoided if the nature of the receipt is shown.

**Part 4: Total payments for financial year 1 July 2011 to 30 June 2012**

No change to previous information  OR

Previous total payments \$

Amended total payments \$

**Part 5: Total debts as at 30 June 2012**

No change to previous information  OR

Previous total debts \$

Amended total debts \$

**Part 6: Debts of more than \$11 900 as at 30 June 2012**

No change to previous information  OR

Provide details of changes or amendments to the information previously provided.

Creditor details			Amount Owed (GST inclusive)	Financial or Non-financial institution)
Original Entry	Name		\$	.00
	Street/postal			
	Suburb/Town	State	Postcode	
Amended Entry	Name		\$	.00
	Street/postal			
	Suburb/Town	State	Postcode	
Original Entry	Name		\$	.00
	Street/postal			
	Suburb/Town	State	Postcode	
Amended Entry	Name		\$	.00
	Street/postal			
	Suburb/Town	State	Postcode	
Original Entry	Name		\$	.00
	Street/postal			
	Suburb/Town	State	Postcode	
Amended Entry	Name		\$	.00
	Street/postal			
	Suburb/Town	State	Postcode	

*If insufficient space, please attach additional sheets.*

**Part 7: Capital contributions**

No change to previous information  **OR**

**Provide details of changes or amendments to the information previously provided.**

**Note:** All amounts are GST inclusive.

Contributor details			Gross amount contributed (GST inclusive)
<b>Original Entry</b>	Name		\$ .00
	Street/postal		
	Suburb/Town	State Postcode	
<b>Amended Entry</b>	Name		\$ .00
	Street/postal		
	Suburb/Town	State Postcode	
<b>Original Entry</b>	Name		\$ .00
	Street/postal		
	Suburb/Town	State Postcode	
<b>Amended Entry</b>	Name		\$ .00
	Street/postal		
	Suburb/Town	State Postcode	
<b>Original Entry</b>	Name		\$ .00
	Street/postal		
	Suburb/Town	State Postcode	
<b>Amended Entry</b>	Name		\$ .00
	Street/postal		
	Suburb/Town	State Postcode	
<b>Original Entry</b>	Name		\$ .00
	Street/postal		
	Suburb/Town	State Postcode	
<b>Amended Entry</b>	Name		\$ .00
	Street/postal		
	Suburb/Town	State Postcode	
<b>Original Entry</b>	Name		\$ .00
	Street/postal		
	Suburb/Town	State Postcode	
<b>Amended Entry</b>	Name		\$ .00
	Street/postal		
	Suburb/Town	State Postcode	

*If insufficient space, please attach additional sheets.*